

Channel 30 at Paradise. With this action, the proceeding is terminated.

EFFECTIVE DATE: March 19, 1990.

FOR FURTHER INFORMATION CONTACT:

Fawn E. Wilderson, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order in MM Docket No. 89-336, adopted January 2, 1990 and released February 2, 1990. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Television broadcasting.

PART 73—[AMENDED]

The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.606 [Amended]

2. Section 73.606(b), the Table of TV Allotments is amended under California by removing Channel 46 and adding Channel 30 at Paradise and by removing Channel *30 and adding Channel *46 at Chico.

Federal Communications Commission.

Karl A. Kensinger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 90-3006 Filed 2-8-90; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 89-325; RM-6719]

Radio Broadcasting Services; Caro, MI

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes FM Channel 221A for Channel 285A at Caro, Michigan, in response to a petition filed by Prime Time Radio, Inc. We shall also modify the license of Station WIDL to specify operation on Channel 221A. Canadian concurrence has been obtained for this allotment at coordinates 43-28-51 and 83-20-31.

DATES: Effective March 19, 1990.

FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 89-325, adopted January 19, 1990, and released February 2, 1990. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Michigan is amended by removing Channel 285A and adding Channel 221A at Caro.

Federal Communications Commission.

Karl Kensinger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 90-3005 Filed 2-8-90; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 97

[PR Docket No. 88-527; FCC 90-35]

Amendment of the Amateur Service Rules To Expand the 6 Meter Repeater Subband

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action amends the amateur service rules by expanding the 6 meter repeater subband from 52-54 MHz to 51-54 MHz. The rule amendment is necessary to permit operation of additional repeaters to meet the increased demand for such operation. The effect of the rule amendment is to enable additional repeaters to be coordinated within a given geographic area.

EFFECTIVE DATE: April 9, 1990.

ADDRESSES: Federal Communications Commission, 1919 M Street NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT:

Maurice J. DePont, Federal Communications Commission, Private

Radio Bureau, Washington, DC 20554, (202) 632-4964.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, adopted January 22, 1990, and released February 1, 1990. The complete text of this Commission action, including the rule amendment, is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 239), 1919 M Street NW., Washington, DC. The complete text of this Report and Order, including the rule amendment, may also be purchased from the Commission's copy contractor, International Transcription Services, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Summary of Report and Order

1. The amateur service rules have been amended to expand the 6 meter repeater subband from 52-54 MHz to 51-54 MHz. The expansion will allow for operation of additional repeaters.

2. As a result of the expansion, voluntary band plans will need to be revised. Such revision will assure that weak-signal communications in the frequency segment 51.0-51.1 MHz (the "Pacific DX Window") will be adequately protected. Revision to voluntary band plans will also protect other amateur uses.

3. Non-repeater operations, in some areas, may need to be relocated to the 50-51 MHz frequency segment. The inconvenience involved in such relocation will be slight and not a sufficient reason to preclude the expansion.

4. Transceivers designed for the current two megahertz repeater segment may need to be modified in order to be suitable for operation in the three megahertz repeater segment. Any necessary modification, however, should be within the capability of an amateur operator.

5. The amended rule is set forth at the end of this document.

6. Pursuant to section 605 of the Regulatory Flexibility Act of 1980, 5 U.S.C. 605, the Commission certifies that this rule will not have a significant economic impact on a substantial number of small entities, because these entities may not use the amateur radio services for commercial radiocommunications.

7. The rule adopted herein has been analyzed with respect to the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq., and found to contain no new or modified form, information collection and/or recordkeeping, labeling,

disclosure, or record retention requirements; and will not increase or decrease burden hours imposed on the public.

8. The amended rule is issued under the authority of 47 U.S.C. 154(i) and 303 (c) and (r).

9. List of Subjects in 47 CFR Part 97

Amateur Radio, Frequencies, Radio, Repeaters.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

Amended Rule

Part 97 of chapter I of title 47 of the Code of Federal Regulations is amended as follows:

PART 97—[AMENDED]

1. The authority citation for part 97 continues to read as follows:

Authority citation: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609, unless otherwise noted.

2. Section 97.205 (b) is revised to read as follows:

§ 97.205 Repeater station.

(a) * * *

(b) A repeater may receive and retransmit only on the 10 m and shorter wavelength frequency bands except the 28.0-29.5 MHz, 50.0-51.0 MHz, 144.0-144.5 MHz, 145.5-146.0 MHz, 220.0-220.5 MHz, 431.0-433.0 MHz and 435.0-438.0 MHz segments.

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[FR Doc. 90-3007 Filed 2-8-90; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 650

[Docket No. 51222-6240]

Atlantic Sea Scallop Fishery

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Temporary adjustment of the meat count standard.

SUMMARY: NMFS issues this notice to implement a temporary adjustment of the meat count and shell height standards for the Atlantic sea scallop fishery pursuant to a recommendation by the New England Fishery Management Council. This action increases the average meat count

standard to 33 meats per pound (MPP) (meats per 0.45 kg) with a corresponding shell height standard of 3 3/16 inches (87 mm).

EFFECTIVE DATES: February 6, 1990 through April 30, 1990.

FOR FURTHER INFORMATION CONTACT:

Patricia A. Kurkul, Resource Policy Analyst, Plan Administration Branch, NMFS Northeast Regional Office, 508-281-9331.

SUPPLEMENTARY INFORMATION:

Regulations at 50 CFR part 650 implementing the Fishery Management Plan for Atlantic Sea Scallops (FMP) provide authority to the Director, Northeast Region, NMFS (Regional Director), to adjust temporarily the meat count/shell height standards (standards) upon finding that specific criteria are met. These criteria, which appear at § 650.22(c) include the finding that: (1) The objective of the FMP would be achieved more readily, or would be better served through an adjustment of the prevailing standards; (2) the recommended alteration in the standards would not reduce expected catch over the following year by more than 5 percent from that which would have been expected under the prevailing standard; (3) the recommended standards for meat count and shell height are consistent with each other; and (4) more than 50 percent of the harvestable sea scallop biomass is at sizes smaller than those consistent with the prevailing standards, and a temporary relaxation of the standards would not jeopardize future recruitment to the fishery.

The New England Fishery Management Council (Council), has recommended that the Regional Director implement a temporary adjustment to the sea scallop meat count standard from 30 to 35 MPP, plus a 10 percent tolerance. Adjustments of the meat count/shell height standards may remain in effect for up to 12 months. In accordance with the regulations, a public hearing was held on January 10, 1990, to receive comments on this recommendation. Although attendance at the public hearing was low, those in attendance expressed support for the recommendation.

After consideration of the full record, including: (1) Comment at the public hearing, (2) comment from the Council, (3) available resource and assessment information, and (4) available information on the fishery and the industry, the Regional Director has determined that the Council's recommended adjustment is not justifiable at this time. A standard of 35 MPP plus a 10 percent tolerance

effectively equals 38.5 MPP. Raising the standard to this level would reduce yield per recruit and long-term benefits to this fishery. This is contrary to the objective of the FMP and, therefore, the first criterion. Sufficient information does exist, however, to suggest that there is a predominance of small scallops in the population and a scarcity of larger size scallops that may be jeopardizing the economic viability of the industry.

The Regional Director has weighed these factors and finds that a lesser relaxation of the standards, to 33 MPP (3 3/16 inches (89 mm) shell height), for a 3-month duration, would better serve the objective of the FMP.

This action meets criterion 2 because it is not expected to reduce catch over the following year by more than 5 percent. In addition, the meat count and shell height will remain consistent, thereby, conforming with criterion 3.

Criterion 4 states that more than 50 percent of the harvestable biomass must be at sizes smaller than the prevailing standard (30 MPP). Recent survey results show that 65 percent of the harvestable biomass consists of scallops smaller than 30 MPP. Thus, this portion of criterion 4 is met. Criterion 4 also states, however, that a temporary relaxation of the standards must not jeopardize future recruitment to the fishery. Because the sea scallop stock-recruitment relationship is not well understood, a definitive answer as to whether or not recruitment will be jeopardized is difficult. It is known, however, that sea scallops have their first significant spawning at age four. Age-four sea scallops range from approximately 30 to 50 MPP. The Regional Director recognizes that caution must be exercised when recommending a temporary adjustment to the meat count standard within this range. An adjustment to 35 MPP, with a 10 percent tolerance (38.5 MPP), as recommended by the Council, would allow a significant increase in fishing mortality on small scallops. Many of these scallops will not have had the opportunity to spawn prior to being harvested. Consequently, though it is difficult to determine conclusively that an adjustment of this magnitude would jeopardize future recruitment, it would impact on the reproductive potential of the spawning stock. An adjustment to 33 MPP is biologically more conservative than 35 MPP, and should protect the economic viability of the industry without jeopardizing future recruitment.

This temporary adjustment will be effective from February 6, 1990 through April 30, 1990. The meat count standard

will be 33 MPP with a corresponding 3 $\frac{1}{16}$ inch (87 mm) shell height standard. On May 1, 1990, the standards will revert to 30 MPP and 3 $\frac{1}{2}$ inches (89 mm) shell height. This modified adjustment will allow the sea scallop fishery to remain economically viable while the preponderant small sea scallops, which grow rapidly, reach harvestable levels under the 30 MPP standard.

Other Matters

This action is taken under authority of 50 CFR part 650, and complies with Executive Order 12291.

List of Subjects in 50 CFR Part 650

Fisheries, Reporting and recordkeeping requirements.

Dated: February 5, 1990.

Richard H. Schaefer,

Director of Office of Fisheries, Conservation and Management, National Marine Fisheries Service.

[FR Doc. 90-3106 Filed 2-8-90; 1:05 pm]

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